

**ENTERED**

March 04, 2024

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

BENJAMIN DOUGLAS DICKEY,

Plaintiff,

VS.

J.C. HOOPER, *et al.*,

Defendants.

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CIVIL ACTION NO. 2:23-CV-00313

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION  
TO DISMISS FOR FAILURE TO PROSECUTE**


On January 31, 2024, United States Magistrate Judge Julie K. Hampton issued her “Memorandum and Recommendation to Dismiss for Failure to Prosecute” (D.E. 9). Plaintiff was provided proper notice of, and opportunity to object to, the Magistrate Judge’s memorandum and recommendation. Fed. R. Civ. P. 72(b); 28 U.S.C. § 636(b)(1); General Order No. 2002-13. No objections have been timely filed.

When no timely objection to a magistrate judge’s memorandum and recommendation is filed, the district court need only satisfy itself that there is no clear error on the face of the record and accept the magistrate judge’s memorandum and recommendation. *Guillory v. PPG Indus., Inc.*, 434 F.3d 303, 308 (5th Cir. 2005) (citing *Douglass v. United Servs. Auto Ass’n*, 79 F.3d 1415, 1420 (5th Cir. 1996)).

Having reviewed the findings of fact and conclusions of law set forth in the Magistrate Judge’s memorandum and recommendation (D.E. 9), and all other relevant documents in the record, and finding no clear error, the Court **ADOPTS** as its own the

findings and conclusions of the Magistrate Judge. Accordingly, Plaintiff's motion to proceed *in forma pauperis* (D.E. 2) is **DENIED** and this action is **DISMISSED WITHOUT PREJUDICE** pursuant to Rule 41(b).

**ORDERED** on March 4, 2024.

  
NELVA GONZALES RAMOS  
UNITED STATES DISTRICT JUDGE